

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

MASSACHUSETTS NURSES ASS'N,

Plaintiff,

v.

NATIONAL NURSES UNITED, AFL-CIO,

Defendant.

Case No. 1:15-cv-11804-WGY

**DEFENDANT NATIONAL NURSES UNITED'S  
MOTION TO DISMISS**

Defendant National Nurses United, AFL-CIO hereby moves this Court for an order dismissing the Complaint with prejudice under Fed.R.Civ.P. 12(b)(6) for failure to state a claim on which relief may be granted.

This Motion is based on the accompanying Memorandum of Law, the Declaration of Michael T. Anderson filed herewith, all exhibits attached thereto, and all other papers and pleadings in this action.

**CERTIFICATION UNDER LOCAL RULE 7.1(a)(2)**

I, Michael T. Anderson, hereby certify that on July 6, 2015, I called James F. Lamond, counsel for Plaintiff Massachusetts Nurses Ass'n, notifying him that I intended to file a Motion to Dismiss.

Mr. Lamond and I have conferred in good faith in an effort to resolve or

narrow the issue pursuant to Local Rule 7.1(a)(2). Mr. Lamond told me that Plaintiff opposes the motion.

Dated: July 7, 2015

Respectfully submitted,

/s/ Michael T. Anderson  
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Attorneys for Defendant  
National Nurses United AFL-CIO

**CERTIFICATE OF SERVICE**

I hereby certify that on this date I served a copy of the foregoing document via the Court's ECF system on the following:

James F. Lamond  
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Dated: July 7, 2015

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